

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

SELECTIVE INSURANCE COMPANY OF
SOUTH CAROLINA,

Case No. 16-CV-4077 (PJS/BRT)

Plaintiff/Counter-defendant,

v.

ORDER

AMIT SELA,

Defendant/Counter-claimant.

Joseph F. Lulic, Kristi K. Brownson, and Olivia Moreland Cooper,
BROWNSON PLLC, for plaintiff/counter-defendant.

Christopher H. Yetka, LARKIN HOFFMAN DALY & LINDGREN, LTD.,
for defendant/counter-claimant.

The Court previously found that plaintiff/counter-defendant Selective Insurance Company of South Carolina (“Selective”) denied insurance benefits to defendant/counter-claimant Amit Sela in bad faith in violation of Minn. Stat. § 604.18. *See* ECF No. 282. This matter is before the Court on Sela’s motion for an award of attorney’s fees. *See* ECF No. 284. Under § 604.18, Sela may recover up to \$100,000 in reasonable attorney’s fees. *See* Minn. Stat. § 604.18, subd. 3(a)(2). The Court has reviewed the evidence that Sela submitted in support of his request and the objections that Selective made to Sela’s request.

Selective argues that nine of the invoices that Sela submitted are not related to the bad-faith dispute, but instead concern the underlying coverage dispute. *See* ECF No. 296 at 5-7. But even if the Court were to deduct the amounts reflected on those nine invoices, Sela still incurred more than \$100,000 in attorney's fees litigating his bad-faith claim. *See* ECF No. 287-1 at 6-9.

Setting aside the nine challenged invoices, the Court finds that the remaining invoices are for a reasonable number of hours and that his attorneys charged reasonable hourly rates. *See Warnock v. Archer*, 397 F.3d 1024, 1027 (8th Cir. 2005) (“[District] courts may draw on their own experience and knowledge of prevailing market rates.” (citation omitted)). Selective originally objected to the block billing of Sela's attorneys. *See* ECF No. 296 at 7-9. But Sela has submitted further evidence that resolves that objection. *See* ECF No. 303-1 at 2-20.

In sum, the Court finds that Sela is entitled to recover \$100,000 for “reasonable attorney fees actually incurred to establish the insurer's violation of [§ 604.18].” Minn. Stat. § 604.18, subd. 3(a)(2).

ORDER

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT defendant and counter-claimant Amit Sela's motion for attorney's fees [ECF No. 284] is GRANTED. Sela is awarded \$100,000 in attorney's fees.

Dated: June 17, 2020

s/Patrick J. Schiltz
Patrick J. Schiltz
United States District Judge